

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

U.S.A. vs.

Ballandby, Benny Thomas

Docket No.

0980 4:15CR06035-001

Petition for Action on Conditions of Pretrial Release

COMES NOW, David L. McCary, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Benny Thomas Ballandby, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James P. Hutton sitting in the court at Yakima, Washington, on the 23rd day of October, 2015 under the following conditions:

Condition #24: Defendant shall not possess, obtain or view material which depicts sexually explicit conduct as defined by Title 18 U.S.C. § 2256.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

On June 3, 2016, an approved search was conducted at the residence of the defendant. During the course of the search, a Samsung flip phone was located. The defendant admitted to using the phone and that it had internet capabilities. The defendant also admitted to having nude photos of his ex-wife on the phone. When asked if there were any other pornographic photos on the phone the defendant stated, "not that I know of" or "I don't think so." Also stuck to the phone was a note which read, "Please get a micro SD card and transfer pictures off phone onto it. Then do same for other phone. You can then swap simm cards if you want."

PRAYING THAT THE COURT WILL AUTHORIZE A SEARCH

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: 06/06/2016

by David L. McCary

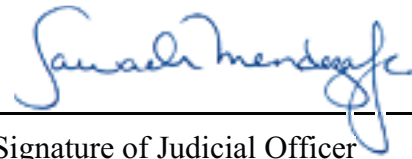
U.S. Pretrial Services Officer

Re: Ballandby,, Benny Thomas

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THE COURT ORDERS

- ☒ Authorization to conduct a search of the defendant's cellular phone
- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

06/06/2016

Date